

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

FABION D. BROWN,)	
)	
Plaintiff,)	
vs.)	NO. CIV-18-0717-HE
)	
P.D. TAYLOR,)	
)	
Defendant.)	

ORDER

Plaintiff Fabion D. Brown, a state prisoner appearing *pro se*, brought this action pursuant to 42 U.S.C. § 1983, claiming violations of his constitutional rights. The matter was referred to U.S. Magistrate Judge Suzanne Mitchell for initial proceedings consistent with 28 U.S.C. § 636(b)(1)(B). Plaintiff moved to proceed *in forma pauperis* [Doc. #2]. Judge Mitchell notified plaintiff several times of deficiencies in his *in forma pauperis* application and afforded plaintiff multiple opportunities to cure those deficiencies. After plaintiff failed to cure the deficiencies, Judge Mitchell recommended that the action be dismissed due to plaintiff's failure to comply with the court's orders. [Doc. #17] at 5-6. The parties were advised of their right to file an objection to the Report and Recommendation by February 12, 2019. No objections have been filed.¹ The parties have therefore waived any right to appellate review of the factual and legal issues raised in the Report and Recommendation. United States v. One Parcel of Real Property, 73 F.3d 1057,

¹ The court has twice attempted to mail plaintiff a copy of the report and recommendation, but plaintiff apparently no longer resides at the address on file. Plaintiff has not submitted any notice of a change of address as required by L.Cv.R. 5.4.

1059–60 (10th Cir. 1996); *see* 28 U.S.C. § 636(b)(1)(C). The court **ADOPTS** the Report and Recommendation [Doc. #17], a copy of which is attached to this order. This action is **DISMISSED**.

IT IS SO ORDERED.

Dated this 14th day of February, 2019.



JOE HEATON
CHIEF U.S. DISTRICT JUDGE